

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Crl.Rev.Pet.No. 1198 of 2007()

CRA.643/2004 of ADDL.SESIONS COURT (ADHOC)III, MANJERI
ST.7842/2001 of JUDL.MAGISTRATE OF FIRST CLASS COURT-I, MANJERI
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REVN. PETITIONER: APPELLANT/ACCUSED

K.T.KUNHI MUHAMMED @ KUNHAN,
S/O.K.T.KUMMER HAJI, K.T.HOUSE,
MOOCHIKKAL SAW MILL, MOOCHIKKAL, ANCHACHAVADI
(KALIKAVU POLICE STATION LIMIT).

BY ADV. SRI.T.K.AJITH KUMAR

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE

1. P.ALAVI, S/O.MOIDEENKUTTY,
PARANGERI HOUSE, PAZHAYA VANIYAMBALAM, WANDOOOR,
(WANDOOOR POLICE STATION LIMIT).
2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1198 of 2007

Dated this the 20th day of March, 2007

ORDER

Revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for three months and to pay Rs.37,000/- vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for three months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to make the payment. In the circumstances, sentence is modified to imprisonment till the rising of the court. The remaining portion of the sentence is confirmed. Revision petitioner is granted three months' time from today onwards to pay the amount of compensation. Revision petitioner shall appear before the Judicial First Class Magistrate Court-I, Manjeri on 20.6.2007 to receive the sentence.

The criminal revision petition is disposed of as above.

**K.R.UDAYABHANU,
JUDGE**